



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: OSBAKKEN et al.

Serial No. 09/942,959

Confirmation No.: 7962

Filed: August 31, 2001

For: AEROSOLIZED ANTI-INFECTIVES,
ANTI-INFLAMMATORIES, AND
DECONGESTANTS FOR THE
TREATMENT OF SINUSITIS

Art Unit: Unassigned

Examiner: Unassigned

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number
EV175669896US

Date of Deposit October 9, 2002

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202


Michael Lough

TRANSMITTAL LETTER

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

Enclosed is a Preliminary Amendment for filing in connection with the above-identified patent application.

- The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By:


Dale Rieger
Registration No. 43,045

Attorney Docket 39187-1457

Address all correspondence to:

Stephanie L. Seidman, Esq.

HELLER EHRMAN WHITE & McAULIFFE LLP

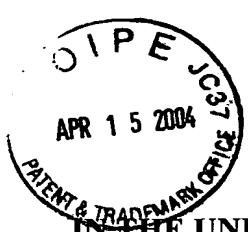
4350 La Jolla Village Drive, 7th Floor

San Diego, California 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

E-mail: sseidman@HEWM.com



Attorney's Docket No.: 39187-1457
(17103-003001)

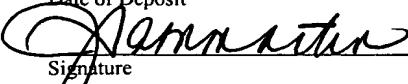
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert S. Osbakken et al.
Serial No. : 09/942,959
Filed : August 31, 2001
Art Unit : 1614
Examiner : Donna Jagoe
Title : AEROSOLIZED ANTI-INFECTIVES, ANTI-INFLAMMATORIES, AND DECONGESTANTS FOR THE TREATMENT OF SINUSITIS

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

April 12, 2004
Date of Deposit


Signature

Jennifer L. Sammartin

Typed or Printed Name of Person Signing Certificate

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.

Under **DOMESTIC PRIORITY DATA AS CLAIMED BY APPLICANT**, please DELETE all Priority Information:

--THIS APPLICATION IS A CIP OF PCT/US00/18410 07/05/2000
AND A CIP OF 09/577,623 05/25/2000
WHICH CLAIMS BENEFIT OF 60/142,618 07/06/1999
AND CLAIMS BENEFIT OF 60/142,620 07/06/1999
AND CLAIMS BENEFIT OF 60/142,621 07/06/1999
AND CLAIMS BENEFIT OF 60/142,622 07/06/1999
AND CLAIMS BENEFIT OF 60/142,624 07/06/1999
AND CLAIMS BENEFIT OF 60/142,741 07/06/1999
AND CLAIMS BENEFIT OF 60/142,881 07/06/1999
AND CLAIMS BENEFIT OF 60/193,507 04/03/2000
AND CLAIMS BENEFIT OF 60/193,508 04/03/2000
AND CLAIMS BENEFIT OF 60/193,509 04/03/2000
AND CLAIMS BENEFIT OF 60/193,510 04/03/2000
AND CLAIMS BENEFIT OF 60/194,078 04/03/2000 --

Applicant is attaching a copy of the filed Preliminary Amendment indicating these changes.

Applicant : Robert S. Osbakken et al.
Serial No. : 09/942,959
Filed : August 31, 2001
Page : 2 of 2

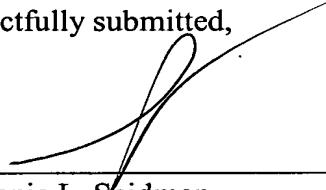
Attorney's Docket No.: 39187-1457
(17103-003001)

In addition, the address of the attorney of record has changed. This paper seeks to update that information as well.

Applicants respectfully request that this error be corrected and Applicants be provided a new Official Filing Receipt.

- (X) The Commissioner is hereby authorized to charge any fee, including that submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 06-1050.

Respectfully submitted,



Stephanie L. Seidman
Reg. No. 33,779

Stephanie L. Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796
seidman@fr.com



EV 175669896 US



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY):		Flat Rate Envelope	
PO ZIP Code <i>92192</i>	Day of Delivery <i>Next</i>	<input type="checkbox"/> Second	<input type="checkbox"/>
Date In <i>10/10/02</i>	Year <i>2002</i>	Postage <i>\$ 13.65</i>	
Mo. Day <i>10 10</i>	Year <i>2002</i>	<input type="checkbox"/> 12 Noon	<input type="checkbox"/> 3 PM
Time In <i>AM 09:58</i>	Time Out <i>AM</i>	<input type="checkbox"/> Military	<input type="checkbox"/> Return Receipt Fee
Weight <i>.4</i>	Ibs. <i>.4</i>	<input type="checkbox"/> 2nd Day	<input type="checkbox"/> 3rd Day
OZS.		Int'l Alpha Country Code <i>B</i>	COO Fee <i>1</i>
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		Acceptance Clerk Initials <i>B</i>	Insurance Fee <i>1</i>
		Total Postage & Fees <i>\$ 13.65</i>	

DELIVERY (POSTAL USE ONLY)		Employee Signature
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	
Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	
Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	
Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
<input type="checkbox"/> WAIVER OF SIGNATURE: Consents to delivery without signature if delivery is made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and/or authorizes that delivery employee's signature constitutes valid proof of delivery.		
<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		Customer Signature

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No. **X921779**

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE ()

LAW FIRM OF HELLER, EHRLICH
WHITE & MC AULIFFE LLP
4350 LA JOLLA VILLAGE DR
STE 700
SAN DIEGO CA 92122-1246

39187-1457 (SLS/DLR:rhj)

TO: (PLEASE PRINT)

PHONE ()

COMMISSIONER FOR PATENTS
US PATENT & TRADEMARK OFFICE
PO BOX 2327
ARLINGTON VA 22202-0327

PRESS HARD.
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



128/600 F:02 T:12

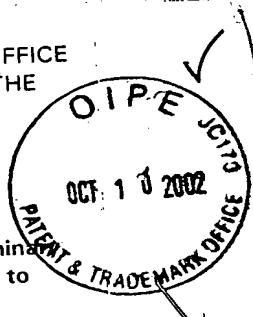
THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE
AFFIXED HERETO WILL BE EVIDENCE OF RECEIPT OF THE
FOLLOWING (SENT VIA EXPRESS MAIL, LABEL NO.
EV175669896US) ON October 9, 2002

Client No.: **39187-1457 SLS/DLR:rhj**

Enclosures: Transmittal Letter (in Duplicate); Preliminary
Amendment; Sheet listing Attachment to
Preliminary amendment; Marked-Up
Paragraph in Accordance with 37 CFR
§1.121; and Return Postcard

Applicant(s): **Osbakken et al.** Conf No.: **7962**
Serial No.: **09/942,959** Filed: **08/31/2001**

For: **AEROSOLIZED ANTI-INFECTIVES, ANTI-INFLAMMATORIES, AND DECONGESTANTS FOR THE TREATMENT OF SINUSITIS**





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: OSBAKKEN *et al.*

Serial No.: 09/942,959

Confirmation No.: 7962

Filed: August 31, 2001

For: AEROSOLIZED ANTI-INFECTIVES,
ANTI-INFLAMMATORIES, AND
DECONGESTANTS FOR THE
TREATMENT OF SINUSITIS

Art Unit: Unassigned

Examiner: Unassigned

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number
EV175669896US

Date of Deposit October 9, 2002

I hereby certify that this paper is being deposited
with the United States Postal "Express Mail Post
Office to Addressee" Service under 37 C.F.R.
§1.10 on the date indicated above and addressed
to:
Commissioner for Patents, U.S. Patent and
Trademark Office, P.O. Box 2327, Arlington, VA
22202

Michael Lough

MARKED UP PARAGRAPHS IN ACCORDANCE WITH 37 C.F.R. §1.121

IN THE SPECIFICATION:

Please amend the specification as follows:

Please amend paragraph 0001 as follows:

[0001] This application is [a Continuation-In-Part of] related to
PCT/US00/18410, filed July 5, 2000, [and] U.S. Application 09/577,623, filed
May 25, 2000, [both of which claim the benefit of] U.S. Provisional
Applications 60/142,618, 60/142,620, 60/142,621, 60/142,622, 60/142,624,
60/142,741, and 60/142,881, all filed on July 6, 1999, and [of] U.S.
Provisional Applications 60/193,507, 60/193,508, 60/193,509, 60/193,510,
and 60/194,078, all filed on April 3, 2000. All of the above-listed applications
are hereby incorporated by reference in their entireties.